

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

JOYCE MARIE DOHME,  
Plaintiff

vs

CINCINNATI CHILDREN'S HOSPITAL  
MEDICAL CENTER,  
Defendant

Case No. 1:11-cv-016  
Weber, J.  
Litkovitz, M.J.

**ORDER**

On August 2, 2012, the Court orally granted the parties an extension of time until August 10, 2012 to submit supplemental materials to the chambers' email in regards to the discovery dispute over Plaintiff's Interrogatory No. 12 and Document Request No. 1(I). The extension of time was memorialized in the Court's August 6, 2012 Order. (Doc. 26).

Defendant provided a supplemental memorandum to the chambers' email on August 10, 2012. Plaintiff, however, did not provide any materials by that date and by email dated August 13, 2012 advised that plaintiff would "respond no later than tomorrow morning."<sup>1</sup> Defendant objects to plaintiff's belated attempt to submit materials in this matter as plaintiff failed to meet the timeline set by the Court and has not sought an extension of time from opposing counsel or the Court for any late submission. In response, plaintiff's counsel states that the delay was work-related and not an attempt to gain an advantage in submitting supplemental materials.

Defendant's objection to allowing plaintiff to provide supplemental materials at this juncture is well-taken. The deadline set by the Court was clear. Plaintiff did not request an extension of time to submit supplemental materials to the Court and has not received defendant's consent to a late filing.

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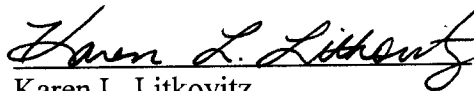
<sup>1</sup>The email chain is attached hereto for reference.

Accordingly, plaintiff may not submit supplemental materials in this matter in regards to the discovery dispute over Plaintiff's Interrogatory No. 12 and Document Request No. 1(I).

**IT IS SO ORDERED.**

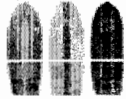
Date:

8/13/12



Karen L. Litkovitz

United States Magistrate Judge



**Fw: Dohme v. CCHMC, Case No. 1:11-cv-016**  
Arthur Hill to: Karen Litkovitz, Erica Faaborg

08/13/2012 12:07 PM

Arthur Hill  
Case Manager to Magistrate Judge Karen Litkovitz  
V: (513)564-7652  
F: (513)564-7691  
email: Arthur\_Hill@ohsd.uscourts.gov  
----- Forwarded by Arthur Hill/OHSD/06/USCOURTS on 08/13/2012 12:07 PM -----

From: "Elizabeth S. Loring" <ELoring@frekingandbetz.com>  
To: "'Kaake, Andrew R.'" <AKaake@fbtlaw.com>, "arthur\_hill@ohsd.uscourts.gov"  
<arthur\_hill@ohsd.uscourts.gov>,  
Cc: "'litkovitz\_chambers@ohsd.uscourts.gov'" <'litkovitz\_chambers@ohsd.uscourts.gov'>  
Date: 08/13/2012 11:34 AM  
Subject: RE: Dohme v. CCHMC, Case No. 1:11-cv-016

All,

My delay was work-related, and not an attempt to dissect Mr. Kaake's legal argument before submitting my own. That said, if the Court feels that it is inappropriate for me to respond at this time, I will, of course, defer.

Sincerely,  
Lisa Loring

Elizabeth S. Loring, Esq.  
Freking & Betz LLC  
525 Vine Street, 6th Floor  
Cincinnati, OH 45202  
tel: 513.721.1975  
fax: 513.651.2570

**From:** Kaake, Andrew R. [mailto:AKaake@fbtlaw.com]  
**Sent:** Monday, August 13, 2012 11:26 AM  
**To:** Elizabeth S. Loring; 'arthur\_hill@ohsd.uscourts.gov'  
**Cc:** 'litkovitz\_chambers@ohsd.uscourts.gov'  
**Subject:** RE: Dohme v. CCHMC, Case No. 1:11-cv-016

Judge Litkovitz and Mr. Hill:

Defendant strongly objects to Ms. Loring's belated attempt to submit materials in this matter. The Court's August 6 Order very clearly stated that the parties would have until August 10 to submit additional support for their arguments. Plaintiff has allowed that date to pass without any request to the Court or counsel for more time. Given that Plaintiff's counsel has flagrantly ignored the deadline for the submission of materials and offers no legitimate explanation for the delay, counsel for Defendant

believes that it would inappropriate to permit Plaintiff to submit materials after the date set by the Court.

Sincerely,

Andy Kaake

**Andrew R. Kaake**

Attorney at Law | Frost Brown Todd LLC

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**From:** Elizabeth S. Loring [<mailto:ELoring@frekingandbetz.com>]

**Sent:** Monday, August 13, 2012 11:18 AM

**To:** 'arthur\_hill@ohsd.uscourts.gov'

**Cc:** Kaake, Andrew R.

**Subject:** RE: Dohme v. CCHMC, Case No. 1:11-cv-016

Mr. Hill,

Plaintiff will respond no later than tomorrow morning. Thank you for the Court's patience in this matter.

Lisa Loring

Elizabeth S. Loring, Esq.  
Freking & Betz LLC  
525 Vine Street, 6th Floor  
Cincinnati, OH 45202  
tel: 513.721.1975  
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**From:** Myfelt, Michelle L. [<mailto:MMyfelt@fbtlaw.com>]

**Sent:** Friday, August 10, 2012 4:28 PM

**To:** 'litkovitz\_chambers@ohsd.uscourts.gov'

**Cc:** Elizabeth S. Loring; 'arthur\_hill@ohsd.uscourts.gov'; Kaake, Andrew R.

**Subject:** Dohme v. CCHMC, Case No. 1:11-cv-016

Attached please find correspondence regarding the referenced matter.

*Sent on behalf of Andrew R. Kaake by,*

**Michelle L. Myfelt**

Legal Secretary | Frost Brown Todd LLC

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